REMARKS/ARGUMENTS

Claims 1-24 were previously pending in the application. No claims are added, cancelled, or amended herein. The Applicant hereby requests further examination and reconsideration of the application in view of the following remarks.

Prior-Art Rejections and Allowable Subject Matter

In pages 2-9, the Examiner rejected claims 1-3, 5-11, 14-16, 18-21, and 24 under 35 U.S.C. 102(e) as being anticipated by Lin et al. (U.S. Pat. App. Pub. 2003/0065811 A1). In pages 9-11, the Examiner rejected claims 12-13 under 35 U.S.C. 103(a) as being unpatentable over Lin in view of Mo et al. (U.S. Pat. App. Pub. 2003/00372276). In pages 13-15, the Examiner indicated that claims 4, 17, 22, and 23 were directed to allowable subject matter and would be allowable if rewritten in independent form. For the following reasons, the Applicant submits that all of the now-pending claims are allowable over the cited references.

Comments on Examiner's Statement of Reasons for Allowance

The Examiner's statement of reasons for the indication of allowable subject matter ("Statement") contains language that attempts to characterize the subject matter of claims 4, 17, 22, and 23. The Statement provides several grounds for allowance. The Applicant submits, however, that the language in the Statement does not accurately characterize all of those claims.

In particular, according to the Statement in regards to claims 4 and 17, "Since other nodes are not affected by this protection bandwidth allocation, it would not be logical to send them the information, since this would only consume network resources with excessive messaging, while providing no benefit." The Applicant submits that the above statement does not accurately characterize the subject matter of claims 4 and 17. In general, to the extent that the Statement differs from the language of any of the allowable claims or deprecates their utility or benefit, the Applicant rejects any narrowing or limitations that might possibly result from such differences. For the above reasons, the Applicant objects to the Statement.

Claims 1 and 14

The Examiner rejected claim 1 for the same reasons as in the previous office action. Applicant continues to respectfully disagree with the Examiner's reasons for rejection. In the Examiner's response to the arguments of the Applicant's July 26, 2006 submission, the Examiner claimed that Lin discloses a path that "includes a listing of links between the source and destination." Applicant respectfully submits that the "path" described in Lin does not

disclose "a <u>data structure</u> comprising an identification of each link and transit node in a primary path," as required by claim 1.

The Examiner also states that "[a] list of all nodes in the network would comprise each link of the primary path." Applicant respectfully submits that a list of <u>all nodes in the network</u> does not disclose a data structure comprising an <u>identification</u> of each link and transit node in <u>a primary path</u>.

Furthermore, the Examiner did not address Applicant's argument that Lin does not disclose the <u>receipt</u> of the service data structure <u>at a regional manager</u> for one or more transit nodes of the restoration path, since Lin's disclosure of transmissions is limited to items such as failure notifications, acknowledgements, keep-alive signals, payload data, and connection identifications. Applicant submits that Lin does not disclose the receipt at a regional manager of a service data structure.

The Applicant submits therefore that claim 1 is allowable over Lin. For similar reasons, Applicant submits that claim 14 is also allowable over Lin. Since claims 2-13 depend variously from claim 1, and claims 15-20 depend variously from claim 14, it is further submitted that those claims are also allowable over Lin.

Claims 5 and 18

The Examiner rejected claim 5 for the same reasons as in the previous office action. Applicant continues to respectfully disagree with the Examiner's reasons for rejection. In the Examiner's response to the arguments, the Examiner claimed that Lin discloses vectors because Lin allegedly discloses a path that includes a series of source-destination links and a magnitude of bandwidth to assign to each link. However, merely disclosing items that can be represented or organized as vectors does not actually disclose using a vector having a plurality of entries, as recited in claim 5.

Even assuming, *arguendo*, that Lin teaches vectors in general, which Applicant does not admit, Lin does not disclose any vector (i) having a plurality of entries corresponding to the nodes and links in the network, wherein (ii) each entry of the vector identifies whether the corresponding node or link is part of the primary path for the service, as required by claim 5. An example of a primary path vector of the type claimed in claim 5 can be seen in Fig. 9. Lin does not disclose anything of the sort.

The Applicant submits that this provides additional reasons for the allowability of claim 5 over Lin. For similar reasons, Applicant submits that this provides additional reasons for the allowability of claim 18 over Lin. Since claim 6 depends from claim 5 and claim 19 depends from claim 18, it is further submitted that this provides additional reasons for the allowability of those claims over Lin.

Claim 9

The Examiner rejected claim 9 for the same reasons as in the previous office action. Applicant continues to respectfully disagree with the Examiner's reasons for rejection. In the Examiner's response to the arguments, the Examiner claimed that Lin discloses vectors because Lin allegedly discloses a path that includes a series of source-destination links and a magnitude of bandwidth to assign to each link. However, merely disclosing items that can be represented or organized as vectors does not actually disclose using a vector having a plurality of entries, as recited in claim 9.

Even assuming, *arguendo*, that Lin teaches vectors in general, which Applicant does not admit, Lin does not disclose a service data structure as described above, nor a network data structure that is an array of vectors wherein (i) each vector in the array has a plurality of entries corresponding to the nodes and links in the network, and (ii) for a vector corresponding to the outgoing link, each entry in the vector corresponding to a node or other link identifies the minimum amount of protection bandwidth required to be reserved on the outgoing link to restore service upon failure of the node or other link, as required by claim 9.

The Applicants submits that this provides additional reasons for the allowability of claim 9 over Lin. Since claims 10-11 depend variously from claim 9, it is further submitted that this provides additional reasons for the allowability of those claims over Lin.

Claim 21

The Examiner rejected claim 21 for reasons similar to the reasons for rejecting claim 1. For reasons similar to those presented above for claim 1, Applicant respectfully submits that Lin does not disclose the elements of claim 21. As such, the Applicant submits that claim 21 is allowable over Lin. Since claims 22-24 depend from claim 21, it is further submitted that those claims are also allowable over Lin.

In view of the above amendments and remarks, the Applicant believes that the now-pending claims are in condition for allowance. Therefore, the Applicant believes that the entire application is now in condition for allowance, and early and favorable action is respectfully solicited.

Respectfully submitted,

Date: 11/29/2006
Customer No. 46850
Mendelsohn & Associates, P.C.
1500 John F. Kennedy Blvd., Suite 405
Philadelphia, Pennsylvania 19102

/Edward J. Meisarosh/
Edward J. Meisarosh
Registration No. 57,463
Attorney for Applicant
(215) 599-3639 (phone)
(215) 557-8477 (fax)